



XIII International Red Cross Conference

The Hague, October 23rd - 26th, 1928



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RELIEF UNION
AND THE RED CROSS



A report by

Senator FILIPPO CREMONESI

President of the Italian Red Cross Society

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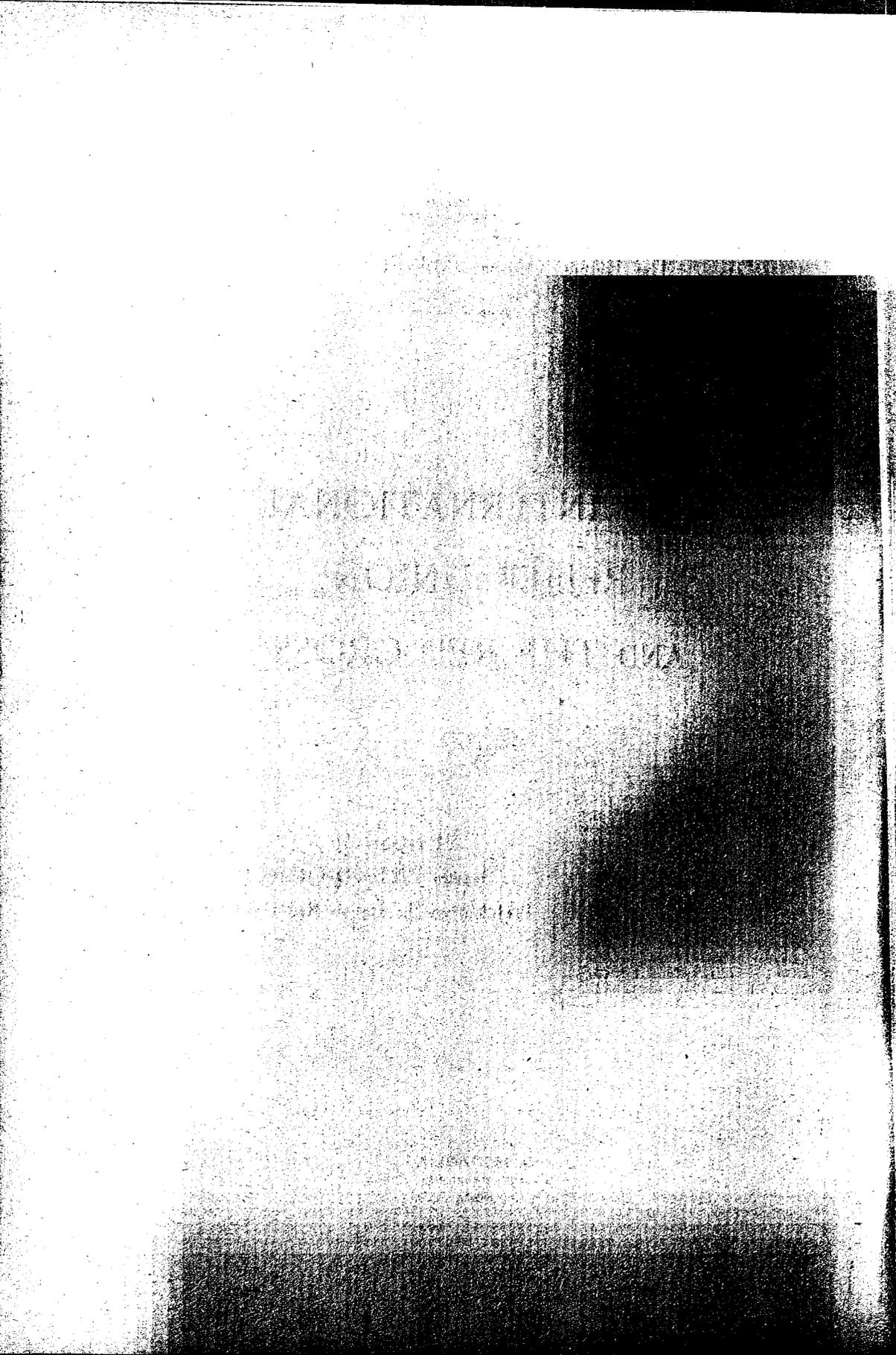


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The aims of the I. R. U.

THE Convention of Geneva, July 12, 1927, the International Relief Union to which it gave birth, and the annexed Statute are destined to produce a profound and beneficent renovation in the national and international organs of the Red Cross, and a considerable increase in their national and international activities.

In the first place, it will be as well to explain what the words I. R. U. mean in connection with the Red Cross, for the benefit of those who did not follow attentively the development of the preparatory stages of the Union and made but the usual superficial study of the texts of the Convention and Statute.

The former is a federation of States, united because « *réso- lus à développer l'entr'aide dans les calamités, à encourager les secours internationaux par l'aménagement méthodique des res- sources disponibles et à préparer tout progrès du droit interna- tional dans ce domaine* ».

In order to realise this end on an universal basis, which be- comes of supreme importance because it is proclaimed by inter- national treaty, the High Contracting Parties agree to establish an International Relief Union (cf. art. 1) with the characteristics of a Covenant of mutuality (cf. art. 3). (1).

The High Contracting Parties are bound, as Members of the International Relief Union, to execute its purposes, reassum- ed as follows: (cf. art. 2).

(1) ... Nevertheless, the action of the International Relief Union is limited to disasters occurring in the territories of the High Con- tracting Parties to which the present Convention applies, and to such disasters occurring in other countries as in the opinion of the Exe- cutive Committee mentioned in art. 6 are likely to affect such terri- tories of the High Contracting Parties.

The objects of the International Relief Union are:

1) In the event of any disaster due to force majeure, and the exceptional gravity of which is beyond the powers and resources of the stricken people, to furnish first aid to the suffering population, and for this purpose to gather funds, resources and assistance of all kinds;

2) In the event of any public disaster, to coordinate as occasion offers the efforts made by relief organisations, and in a general way to encourage the study of preventive measures against disasters, and to induce all peoples to render mutual international assistance. As for the first par. of the following art. 3, the High Contracting Parties, as Members of the International Relief Union, establish that the action defined by art. 2 will be exercised for « the benefit of all stricken peoples, whatever their nationality or their race, and irrespective of any social, political or religious distinction ».

Positive effects are constituted by the possibility of realising, under the auspices of the States and with the cooperation of the Red Cross, the coordination of the experience and means of governments, of peoples and of their respective organisations, public or private, in the assistance of the stricken peoples.

To this end the Convention of July 12, 1927, creates a new international service: a relief service for peoples stricken by calamity. It pledges the co-responsibility of the High Contracting Parties, in order that this international public service shall be effectually carried out. And, as a natural consequence, it raises the National Red Cross Societies to the position of executive organs of the International Relief Union.

The *diplomatic effects* are constituted by the fact that in one zone of its activities, relief to stricken peoples, the Red Cross will be recognised, for the first time in all its history, on an international basis. The Convention and the Statute, July 12, 1927, create an institution — the International Relief Union — with two organisations acting on its behalf as executive organs: the National Societies and the International Institutions of the Red Cross. These organs are henceforth protected, formally and effectively, by the right of nations.

The General Council of the International Relief Union and the League of the Red Cross Societies are now recognised by an international treaty which exactly indicates their respective de-

nominations, obligations and rights (arts. 5, 14, 16 of the Statute annexed to the Convention). (1).

Article 25 of the Covenant of the League of Nations gave a general promise of encouragement and protection to the National Red Cross Societies.

But this article did not grant them a formal acknowledgement of a diplomatic order, nor recognise them as a juridical institution in the international communion. The Convention of July 12, 1927, on the contrary, determines their right to be acknowledged diplomatically and establishes the interstate functions of public interest entrusted to the National and International Red Cross Societies in their quality of executive organs of the mutualistic service created by the various States for the purpose of guaranteeing reciprocal assistance to their peoples in the case of an overwhelming disaster due to natural causes.

The *juridical effects* result from the fact that the International Relief Union transports international assistance to afflicted peoples from the philanthropic field — spontaneous but aleatory in character, and in any case always in the nature of a cha-

(1) Two representatives of the international organisations of the Red Cross (the International Committee of the Red Cross and the League of Red Cross Societies) may participate in the work of the Committee in a consultative capacity.

(V. art. 14) « The international organisations of the Red Cross (International Committee of the Red Cross and the League of Red Cross Societies) shall be invited to provide at their expense and to the extent which they consider to be compatible with their resources, the permanent and central services of the International Relief Union. These services shall be under the direction of the Executive Committee.

(V. art. 16) « This working capital fund shall cover the costs of the ordinary and permanent services of the International Relief Union in the exceptional case when such costs are not paid by the international organisations of the Red Cross (International Red Cross Committee and League of Red Cross Societies).

(2) In the establishment and working of the International Relief Union, the free cooperation is envisaged:

1) Of National Red Cross Societies, in conformity with Article 25 of the Covenant of the League of Nations, and of institutions or organisations constituting *de jure* or *de facto* unions of such societies;

2) Of all other official or non official organisations which may be able to undertake the same activities for the benefit of stricken populations, if possible in cooperation with Red Cross Societies and institutions or organisations above mentioned.

rity — to the field of an international public right, and converts relief to peoples from an act of charity to an act of justice, with the aim of guaranteeing a *minimum* of first relief to all peoples unable to meet the necessities due to a catastrophe much superior to their own resources and energies. An ideal of international solidarity is incorporated in the form of a juridical and diplomatic sentence, and assumes the aspect and reality of an international treaty. (2. P. 3).

The Convention (arts. 3-13) (1) and the Statute (arts. 14-15) provide for a continuous reciprocity of services between the States and the Red Cross.

The International Relief Union, that is, the Federation of Governments, accords to the National Societies of the Red Cross — in harmony with art. 25 of the Covenant of the League of Nations — and to institutions which constitute or may constitute a juridical or moral bond with them, the privilege of acting as its executive organs for international relief.

The Union expresses the hope that also all other public and private organisations which are in position to exercise the same activities in favour of peoples stricken with calamity, will cooperate, if possible, with the National Societies and the International Institution of the Red Cross. (cf. art. 5).

It is thus recognised that the great work of international relief can be rendered efficacious only by the collaboration of the public services of the State together with the technical organisation and competence of great private societies that are specialised in works of relief.

The members of the Union pledge themselves, to the extent permitted by their respective legislations, to grant, each in his own territory, to the International Relief Union and to the organisations acting for it, as agents, in conformity with art. 5 of the Convention, all immunities, facilities and exemptions necessary for their installation, for the circulation of their dependents and material, for their relief operations and the publicity of their appeals (cf. art. 10).

(1) (cf. art. 13) Nothing in the present Convention shall be interpreted as involving a restriction of any kind on the freedom of the societies, institutions or organisations mentioned in article 5 when they are acting on their own account.

On their side, the National Red Cross Societies, and similar public or private relief organisations that are in a position to carry out such activities, will, if possible in collaboration with the organs of the Red Cross, execute in the stricken zone to which they pertain, the necessary work of relief on account of the International Relief Union. (1).

There is now, therefore, a well-determined, bilateral obligation, arising out of the Convention and the Statute of the International Relief Union, which will control the collaboration that the National Societies and international institutions are called upon to give to the States in works of relief to afflicted peoples. The Red Cross Societies are no longer in the situation of organisations which are left, between one war and another, without recognition on the part of one or more governments and without collaboration and facilities in their labours. They are, on the contrary, nationally and internationally, in the permanent state of live concerns *ope legis*.

The present situation of these institutions, subject as they are to mobilisation in times of peace for the work of international relief, as during war they used to be mobilised for the work of assistance to sick and wounded soldiers and prisoners — will give rise to necessities in their technical, financial and administrative organisation which must be taken account of by public opinion in each country.

Guarantee of the moral and technical liberty of the Red Cross.

On the other hand, the moral and technical liberty of the national and international organs belonging to the Red Cross —

(1) cf. art. 15). « Relief work in each zone shall be effected on behalf of the International Relief Union by the organisations mentioned in Article 5 of the Convention and existing in that zone.

If any one zone comprises several States or if in one zone several such organisations participate in the work of relief, the Executive Committee shall take such steps as may be necessary to coordinate efforts made and the distribution of relief. In particular, it may set up for this purpose, with the consent of such organisations, regional committees, account being taken in the recruiting of their Members of technical capacity, experience and administrative convenience. In the event of a disaster, the Executive Committee should as a general rule be informed by the expert or experts of the zone affected.

and all those others who might, in accordance with art. 5 of the Convention, cooperate with the Federated States of the International Relief Union — has been recognised by:

a) art. 5 of the Convention which defines as *free* the help they give to the constitution and the working of the Union;

b) art. 13 of the Convention:

« Rien dans la présente Convention ne peut être interprété comme portant atteinte en aucune manière à la liberté des sociétés, institutions ou organes visés à l'article 5, quand ils agissent pour leur propre compte ».

This means that the assistance given by the societies indicated under art. 5 of the Convention does not interfere with all the other activities which are the reason of their existence; it also means that no measure of the International Relief Union can diminish the absolute liberty of their social work. That is to say: the International Relief Union guarantees them the right and privilege of working;

c) art. 14 of the Statute:

« Les organisations internationales de la Croix Rouge (Comité international de Croix Rouge) seront conviées... » etc.

The reading of the article is to the effect that the International Committee of the Red Cross and the League of the Red Cross Societies may accept or refuse at will to ensure, at their own expense and within the limits they deem justified by the resources at their disposal, the central service of the Union; which service is exercised under the direction of the Executive Committee of the Red Cross. Mr. Werner and Mr. Kittredge, delegates of the International Committee and League, at the VI Session of the Diplomatic Conference held at Geneva on July 11, 1927, (pp. 55, 56, 57 and 58 of the Volume of the League of Nations, containing the official report of the «Conference for an International Relief Union») accepted, each on account of the respective institution from which he received his mandate, the responsibilities and obligations devolving on the said institutions from the Convention and the Statute, in the successive phases of whose preparation the Committee and the League were official collaborators.

And the Final act of the Conference, subscribed to by all the the delegates, sanctions the following resolutions, adopted by the Conference after the approval of the Convention and Statute:

« La Conférence prend acte avec une vive satisfaction des déclarations faites à sa séance du 11 juillet (par les représentants du Comité international de la Croix Rouge et de la Ligue des Sociétés de la Croix Rouge ».

The liberty to collaborate with the International Relief Union (recognised by the Convention and Statute for the national and international organisations of the Red Cross, and also for all others of the same kind) has its corresponding part in the faculty of the High Contracting Parties to call upon their own respective National Red Cross Society to represent them in the International Relief Union.

The Convention thus completes the autonomy of the reciprocal services existing between the States and the Red Cross Societies.

The mutual cooperation of the great aid societies.

These juridical and diplomatic situations and situations *de facto* have been granted to all the Red Cross organisations, in order that they might be in a position to carry out their work as organs of international relief in their respective geographical zones of disaster. And on this basis arises the new organisation: the *Regional Cooperation of Red Cross Societies* for the preparation of relief, each in its own region, against the type of calamity most to be feared, historically and geographically, in that particular region (cf. art. 15).

Arts. 5, 6 and 13 of the Convention, and art. 14 of the Statute, extend the privilege granted to the Red Cross to the other public or private national and international organisations which may lend the same activities as the Red Cross in the interests of afflicted populations.

As a natural consequence, it is equally the interest of the National Societies of the Red Cross in the territory of their own State, of the groups of Red Cross Societies in the stricken zone for which their cooperation is particularly reserved, and of the international institutions of the Red Cross to establish accords, *in order to prepare in advance the coordination of all the organisations of specialised assistance.*

This is one of the most delicate of the offices devolving upon the national and international organs of the Red Cross from the Convention and Statute.

It is an office which necessitates, on all sides, a lengthy preparation and a broad spiritual horizon, a sincere and cordial sense of solidarity toward similar societies, and the intention to act toward each of them as friends and companions, and, in case of need, protectors and financial supporters, while respecting their independence and aims, and their moral and social susceptibilities.

Thus, on the basis of the Convention and Statute of the International Relief Union, a new great family will be formed: the family of all the institutions whose object is to assist the peoples. And this duty will be gloriously and unanimously carried out if the various bodies, instead of admitting the dividing spirits of excessive emulation and reciprocal suspicion, set to work in earnest to form a bulwark of solidarity and good works, which shall be above all competition and rancour and egoism, and shall bring about the union of all peoples in the universal interest of their common salvation.

Until the convention enters into force.

The Convention will enter into force when 12 States shall have ratified their signatures or declared their adhesion, pledging themselves to pay 600 shares of the prescribed initial fund. On May 1, 1928, thirty States had already signed, and their corresponding shares represent not less than 570 of the 600 shares prescribed. The first ratification was made by Italy. The first adhesion was that of the Soudan, communicated to the League of Nations by the English Government.

There is no doubt that, notwithstanding the habitual slowness of diplomatic affairs, the other ratifications will follow in due course. It is evident, therefore, that within a short while the Convention will enter into force. In the meanwhile, in accordance with a deliberation of the VIII Assembly of the League of Nations and on the nomination of the Council, a permanent Preparatory Commission of three members has been charged to make all the necessary studies of measures that may hasten the realisation of the International Relief Union.

It would be an act worthy of its traditions if the Red Cross were to now offer an efficacious collaboration with this Commission.

This cooperation might be of two kinds:

1) to assist in ensuring and hastening, on the part of the various governments, the ratification of the Convention, where the government has already given its signature; or the adhesion in those cases where the government was unable to sign before April 30, 1928;

2) to assist in facilitating the efforts of the Permanent Preparatory Commission of the League of Nations in the preparation of a rapid and complete realisation of the International Relief Union.

As a first step in this collaboration, it would be of great use if each National Society should put itself at the disposal of its Government for the purpose of dissipating the latter's doubts, illustrating the origin, methods and purposes of the Convention of July 12, 1927, and deciding upon the initial measures most adapted for cooperating with the International Relief Union.

As a second step, it would be advisable that the organs of the International Red Cross and the National Red Cross Societies should offer their cooperation to the Permanent Preparatory Commission, with the following objects:

a) to draw up the rules of the central and permanent service of the I. R. U. which, in accordance with art. 14 of the Statute, the International Committee of the Red Cross and the League of the Red Cross Societies are invited to ensure, at their own expense and within the limits of the resources at their disposal, and under the direction of the Executive of the Union. The draft of the rules shall be made by the Committee and the Union. The final draft shall be made by the Committee and the League, and should if possible be in harmony with the work of preparation made by the Permanent Commission;

b) to compile a list « of all the other public or private organisations that are in a position to exercise the same activities for the benefit of the peoples afflicted, if possible in collaboration with the Red Cross Societies and the institutions before mentioned;

c) to solicit from the Examination Commission — appointed in certain States, either by the government or by

scientific bodies, and in some cases by the National Red Cross Societies — and also from the National Geographical Societies appointed by the International Geographical Conference assembled at Cambridge, July, 1928, the preparation of the Historical and Geographical Atlas of Calamities, together with a first delimitation of the geographical zones of calamities, in accordance with the provisions of arts. 11 and 15 of the Statute;

d) to compose a first register of the great relief experts in each Nation, in order to facilitate the labours of the Commission in the preparation of a list of the best regional experts in accordance with article 11 of the Statute.

All these preparations, resulting from the cooperation of the Permanent Preparatory Commission with the national and international organs of the Red Cross, will not only facilitate the preparation for a rapid and complete realisation of the International Relief Union, but will also furnish first class material for the future work of the General Council and the Executive Committee of the Union.

The peace army of humanity.

This collaboration on the part of the Red Cross will permit this organisation to act, in the history of the new bond of our civilisation, not only as an executive organ but also as coadjutor of the new International institute for the union and salvation of the nations. The Red Cross must work solidly and efficaciously with the I. R. U., and not limit its aid to a mere expression of sympathy. In this the Red Cross will be able to assist the Union, out of the profound technical experience of its National Societies, in deciding upon the forms to be given to the Union's labours. And in this task the Red Cross will have all the assistance that it may need from the promotor of the International Relief Union. Senator Ciralo, formerly President and now Hon. President of our National Italian Society, who served for eight years, like some impassioned missionary of Humanity, the cause of the peoples against the trials of pain and death, was actuated not only by his deep feeling of universal solidarity, but also by the profound conviction, justified by experience, that the menaced peoples will have a powerful defence against the furies of nature if Governments and Red Cross So-

cieties act in solidarity and genuine cooperation, all over the world, in the work of international relief.

The fact that there has at last been such widespread subscription to this idea, in spite of the active and passive resistance it encountered from the beginning, is a proof that international public opinion and the majority of the States are now ready to accept the thesis of a common coordinate action of Governments and Red Cross against the calamities of nature. And this miracle of an International Relief Union, which represents the first mutual organisation between the States for the common purpose of universal salvation, cannot fail to arouse a profound feeling of pride in all the old and new servants of the Red Cross all over the world.

But such a fact must also inspire them with the firm intention to do everything possible to raise the universal Red Cross to the honour and glory of forming the army of peace and mutuality, the army of the Federation of States *« résolu à développer l'entraide dans les calamités, à encourager les secours internationaux par l'aménagement méthodique des ressources disponibles et à préparer tout progrès du droit international dans ce domaine »*.

President of the Red Cross in Italy

Senator FILIPPO CREMONESI

